

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

THE ESTATE (SUCCESSION) OF DORIS  
IGOIN, LAURENCE APFELBAUM,  
individually and in her capacities as executor  
and beneficiary of the Estate (Succession) of  
Doris Igoi, and EMILIE APFELBAUM,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04336 (SMB)

**APPLICATION TO FILE JURISDICTIONAL MEMORANDUM OF LAW IN  
FURTHER SUPPORT OF DEFENDANTS' MOTION TO DISMISS AND  
DECLARATION OF JONATHAN K. COOPERMAN UNDER SEAL**

Defendants The Estate (Succession) of Doris Igoi, Laurence Apfelbaum, individually and in her capacities as executor and beneficiary of the Estate (Succession) of Doris Igoi, and Emilie Apfelbaum (collectively, “Defendants”) hereby apply to this Court for an Order allowing them to file under seal their unredacted Jurisdictional Memorandum of Law in Further Support of Defendants’ Motion to Dismiss, dated June 20, 2014 (the “Memorandum”), and Exhibit 2 to the Declaration of Jonathan K. Cooperman (“Cooperman Declaration”) in Further Support of Defendants’ Motion to Dismiss, dated June 20, 2014.

The deposition of Kurt Brunner was taken in the case *Picard v. Magnify, Inc., et al.*, Adv. Pro. No. 10-05279(SMB) (S.D.N.Y. Bankr.) in London, England on November 7-8, 2012. Excerpts from Mr. Brunner’s deposition transcript are quoted in the Memorandum and are attached as Exhibit 2 to the Cooperman Declaration.

Good cause exists for this Application because the transcript from Mr. Brunner’s deposition was designated confidential. A motion for a protective order was filed on March 31, 2014, but was subsequently withdrawn on April 29, 2014. (Adv. Pro. No. 10-05279(SMB), Dkt. Nos. 120, 125.) Since Defendants are uncertain as to the status of any protective order governing Mr. Brunner’s deposition transcript, they seek to file both the Memorandum and Exhibit 2 to the Cooperman Declaration under seal.

Defendants intend to file under ECF a redacted version of the Memorandum and a slip sheet for Exhibit 2 to the Cooperman Declaration, and conditionally lodge under seal unredacted versions.

Dated: June 20, 2014

**KELLEY DRYE & WARREN LLP**

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Apfelbaum, and Emilie Apfelbaum*